



Atty Docket No.: 532212000623

Inventor: Thomas L. CANTOR

Application No.: 10/617,489

Filing Date: July 10, 2003

Title: METHODS, KITS AND ANTIBODIES FOR DETECTING PARATHYROID  
HORMONE

**Documents Filed:**

Transmittal (1 page)

Fee Transmittal (1 page + duplicate)

Supplemental Information Disclosure Statement (3 pages)

Form PTO/SB/08a/b (6 pages + duplicate)

170 References in 3 separate boxes

(Box 1 contains original transmittals; Boxes 2 & 3 contain copies of all transmittals)

Via: Express Mail: Airbill No. EV 513 164 718 US (BOX 1); EV 513 164 704 US (BOX 2);  
EV 513 164 695 US (BOX 3)

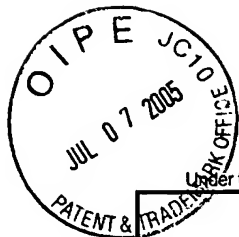
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Date: July 7, 2005

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07-08-05

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/617,489
		Filing Date	July 10, 2003
		First Named Inventor	Thomas L. CANTOR
		Art Unit	1641
		Examiner Name	C. Cheu
Total Number of Pages in This Submission	18	Attorney Docket Number	532212000623

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form (1 page + duplicate) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO/SB/08a/b (6 pages + duplicate) 170 References Return Receipt Postcard
<b>Remarks</b>  <b>Customer No. 25225</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Peng Chen		
Date	July 7, 2005	Reg. No.	43,543

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 513 164 718 US (BOX 1); EV 513 164 704 US (BOX 2); EV 513 164 695 US (BOX 3), addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 7, 2005

Signature:

  
(Rhonda L. Mason)



PTO/SB/17 (12-04v2)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b>		
		Application Number	10/617,489	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	July 10, 2003	
		First Named Inventor	Thomas L. CANTOR	
		Examiner Name	C. CHEU	
TOTAL AMOUNT OF PAYMENT (\$)		180.00	Attorney Docket No.	532212000623

**METHOD OF PAYMENT** (check all that apply)

<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> None	<input type="checkbox"/> Other (please identify): _____
<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: <u>03-1952</u> Deposit Account Name: <u>Morrison &amp; Foerster LLP</u>			
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)				
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee			
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments			

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
80	- 80 =	x =
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
4	- 4 =	x =

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement	180.00

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	43,543
Name (Print/Type)	Peng Chen	Telephone	(858) 720-5117
		Date	July 7, 2005

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 513 164 718 US (BOX 1); EV 513 164 704 US (BOX 2); EV 513 164 695 US (BOX 3), addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 7, 2005

Signature: Rhonda L. Mason

(Rhonda L. Mason)

Patent

Docket No. 532212000623

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Thomas L. CANTOR

Serial No.: 10/617,489

Filing Date: July 10, 2003

For: METHODS, KITS AND ANTIBODIES  
FOR DETECTING PARATHYROID  
HORMONE

Examiner: C. Cheu

Group Art Unit: 1641

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of non-patent literature documents numbered 3, 4, 5, 6, 10, 11, 12, 13, 17, 18, 20, 23 and 24-181 are submitted herewith. The remaining documents listed on the attached Form PTO/SB/08a/b were disclosed and submitted in previously filed Information Disclosure Statements for this matter. The Examiner is requested to make these documents of record.

Document numbers 1-23 listed on the attached Form PTO/SB/08a/b were recently disclosed by defendants Immutopics, Inc. in currently pending civil litigation: *Scantibodies Laboratory, Inc. v. Immutopics, Inc. et al.*, U.S.D.C. Case No. CV 04-8871 GPS (MANx).

sd-265419

Document numbers 24-181 are from *Nichols Institute Diagnostics, Inc. v. Scantibodies Clinical Laboratory Inc. and Scantibodies Laboratory, Inc.*, U.S.D.C. for the Southern District of California, Case No. 02 CV 0046 B (LAB).

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \_\_\_ is enclosed.
  - ☒ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_\_ is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)


Applicant would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

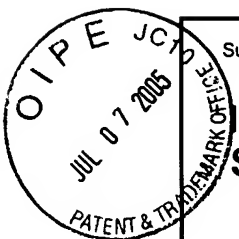
The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 532212000623.

Dated: July 7, 2005

Respectfully submitted,

By   
Peng Chen  
Registration No.: 43,543  
MORRISON & FOERSTER LLP  
3811 Valley Centre Drive  
Suite 500  
San Diego, California 92130-2332  
(858) 720-5117



Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 6

## Complete if Known

Application Number	10/617,489
Filing Date	July 10, 2003
First Named Inventor	Thomas L. CANTOR
Art Unit	1641
Examiner Name	C. Cheu
Attorney Docket Number	532212000623

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1.	US-5,656,455	08-12-1997	Wood et al.	
	2.	US-6,030,790	02-29-2000	Adermann et al.	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	3.	Certificate of Correction pertaining to inventorship for U.S. Patent No. 6,030,790, dated August 6, 2002	
	4.	Certificate of Correction pertaining to text for U.S. Patent No. 6,030,790, dated August 27, 2002	
	5.	DELMAS et al., Molecular Immunology (1985) 22:675-679	
	6.	DESPLAN et al., The Lancet (1977) July:198-199	
	7.	FISCHER et al., The Journal of Clinical Investigation (1974) 54:1382-1394	
	8.	GAO et al., Clinica Chimica Acta (1996) 245:39-59	
	9.	GAO et al., J. Bone Mineral Res. (2001) 16:605-614	
	10.	HABENER and POTTS, Endocrinology (1979) 105:115-119	
	11.	HABENER et al., Endocrine Research Communications (1974) 1:1-17	
	12.	HANLEY and WELLINGS, Journal of Immunoassay (1985) 6:245-259	
	13.	HENDY et al., Proceedings of the Society for Endocrinology 26P-27P	
	14.	JOHN et al., Journal of Clinical Endocrinology and Metabolism (1999) 84(11):4287-4290	
	15.	KOHNO et al., J. Clin. Lab. Anal. (1998) 12:268-275	
	16.	LOGUE et al., Journal of Immunological Methods (1991) 137:159-166	
	17.	NUSSBAUM et al., Methods in Enzymology (1985) 109:625-638	
	18.	RAPLEY et al., Immunology (1993) 78:379-386	
	19.	TAMPE et al., J. Immunoassay (1992) 13(1):1-13	
	20.	VIEIRA et al., Brazilian J. Med. Biol. Res. (1987) 20:721-729	
	21.	VISSER et al., Acta Endocrinology (1979) 90:90-102	
	22.	Why Nichols is our PTH Vendor, submitted in Defendant's Supplemental Initial Disclosures	
	23.	XIE and ABOU-SAMRA, Endocrinology (1998) 139:4563-4567	

Examiner Signature		Date Considered	
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sd-265352

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/617,489
				Filing Date	July 10, 2003
				First Named Inventor	Thomas L. CANTOR
				Art Unit	1641
				Examiner Name	C. Cheu
Sheet	2	of	6	Attorney Docket Number	532212000623

24.	Subpoena in a Civil Case for Dr. Claude Arnaud, filed May 4, 2005	
25.	Subpoena in a Civil Case for Dr. Ellen Vitetta, filed May 4, 2005	
26.	Subpoena in a Civil Case for Joseph O. Falkinham, III, filed May 4, 2005	
27.	Subpoena in a Civil Case for Gerald Bjorge, filed May 4, 2005	
28.	Subpoena in a Civil Case for Larry W. Evans, filed May 4, 2005	
29.	Subpoena in a Civil Case for Dr. Wolf-Georg Forsmann, filed May 4, 2005	
30.	Subpoena in a Civil Case for Dr. Knut Adermann, filed May 4, 2005	
31.	Subpoena in a Civil Case for Dr. Dieter Hock, filed May 4, 2005	
32.	Subpoena in a Civil Case for Dr. Markus Magerlein, filed May 4, 2005	
33.	Subpoena in a Civil Case for Dr. Thomas Godemeyer, filed May 4, 2005	
34.	Subpoena in a Civil Case for Dr. Michael Harder, filed May 4, 2005	
35.	Subpoena in a Civil Case for Dr. Randy Ringold, filed May 4, 2005	
36.	Subpoena in a Civil Case for Dr. K. Ramakrishnan, filed May 4, 2005	
37.	Subpoena in a Civil Case for Eva Guthrie, filed May 4, 2005	
38.	Subpoena in a Civil Case for Julie Lu, filed May 4, 2005	
39.	Nichols' Opposition to Scantibodies' Motion in Limine No. 1 (That Seeks to Exclude Dr. Hall's Experiments), filed May 5, 2005	
40.	Nichols Institute Diagnostics, Inc.'s Opposition to Scantibodies' Motion In Limine No. 2, Nichols' Opposition to Scantibodies Motion In Limine to Exclude Expert Opinion and Other Evidence Regarding Opinion of Counsel, filed May 5, 2005	
41.	Nichols Institute Diagnostics, Inc.'s Opposition to Scantibodies' Motion In Limine No. 3 to Preclude Nichols' Reliance on Doctrine of Equivalents, filed May 5, 2005	
42.	Declaration of Jane Babin in Support of Nichols Institute Diagnostics, Inc.'s Opposition to Scantibodies' In Limine Motion No. 3, filed May 5, 2005	
43.	Nichols Institute Diagnostics, Inc.'s Opposition to Scantibodies' In Limine Motion No. 5, Opposition to Scantibodies' Motion to Preclude Evidence of a Hypothetical Negotiation Between Scantibodies and Nichols, filed May 5, 2005	
44.	Declaration of April Alex in Support of Nichols Institute Diagnostics, Inc.'s Opposition to Scantibodies' In Limine Motion No. 5, filed May 5, 2005	
45.	Nichols Institute Diagnostics, Inc.'s Opposition to Scantibodies' Motion In Limine No. 7 to Exclude Evidence Regarding Medicare Billing, filed May 5, 2005	
46.	Order Granting Nichols Institute Diagnostics Inc.'s Ex Parte Application to Accept Nichols' In Limine Motion No. 21 as Timely Filed, filed May 5, 2005	
47.	Scantibodies' Opposition to Nichols' Motion in Limine No. 1, filed May 5, 2005	
48.	Scantibodies' Opposition to Nichols' Motion in Limine No. 2, filed May 5, 2005	
49.	Scantibodies' Opposition to Nichols' Motion in Limine No. 3, filed May 5, 2005	
50.	Scantibodies' Opposition to Nichols' Motion in Limine No. 4, filed May 5, 2005	
51.	Scantibodies' Opposition to Nichols' Motion in Limine No. 5, filed May 5, 2005	
52.	Scantibodies' Opposition to Nichols' Motion in Limine No. 6, filed May 5, 2005	
53.	Scantibodies' Opposition to Nichols' Motion in Limine No. 7, filed May 5, 2005	
54.	Scantibodies' Opposition to Nichols' Motion in Limine No. 8, filed May 5, 2005	
55.	Scantibodies' Opposition to Nichols' Motion in Limine No. 10, filed May 5, 2005	
56.	Scantibodies' Opposition to Nichols' Motion in Limine No. 11, filed May 5, 2005	
57.	Scantibodies' Opposition to Nichols' Motion in Limine No. 13, filed May 5, 2005	
58.	Scantibodies' Opposition to Nichols' Motion in Limine No. 14, filed May 5, 2005	
59.	Scantibodies' Opposition to Nichols' Motion in Limine No. 15, filed May 5, 2005	
60.	Scantibodies' Opposition to Nichols' Motion in Limine No. 16, filed May 5, 2005	

Examiner Signature		Date Considered	
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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/617,489
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				First Named Inventor	Thomas L. CANTOR
				Art Unit	1641
				Examiner Name	C. Cheu
Sheet	3	of	6	Attorney Docket Number	532212000623

61.	Scantibodies' Opposition to Nichols' Motion in Limine No. 17, filed May 5, 2005	
62.	Scantibodies' Opposition to Nichols' Motion in Limine No. 18, filed May 5, 2005	
63.	Scantibodies' Opposition to Nichols' Motion in Limine No. 19, filed May 5, 2005	
64.	Scantibodies' Opposition to Nichols' Motion in Limine No. 20, filed May 5, 2005	
65.	Stipulation and Notice of Withdrawal Regarding Four Motions In Limine, filed May 5, 2005	
66.	Supplemental Subpoena in a Civil Case for Ping Gao, filed May 6, 2005	
67.	Supplemental Subpoena in a Civil Case for Scantibodies Laboratory, Inc., filed May 6, 2005	
68.	Supplemental Subpoena in a Civil Case for Scantibodies Clinical Laboratory, Inc., filed May 6, 2005	
69.	Scantibodies' Ex Parte Application Requesting Correction of Order Denying Defendants' Motion For Summary Judgment of Invalidity, filed May 9, 2005	
70.	Declaration of Katherine L. Parker in Support of Scantibodies' Ex Parte Application Requesting Correction of Order Denying Defendants' Motion For Summary Judgment of Invalidity, filed May 9, 2005	
71.	[Proposed] Order Granting Scantibodies' Ex Parte Application Requesting Correction of Order Denying Defendants' Motion For Summary Judgment of Invalidity, filed May 9, 2005	
72.	Transcript of Motion In Limine Hearing/Pretrial Conference, May 9, 2005	
73.	Transcript of Motions In Limine Hearing, May 10, 2005	
74.	Transcript of Motions In Limine Hearing, May 11, 2005	
75.	Scantibodies Clinical Laboratory, Inc., and Scantibodies Laboratory, Inc.'s Second Supplemental Exhibit List, filed May 11, 2005	
76.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Vivian Shen, filed May 11, 2005	
77.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Stephen Scheibel, filed May 11, 2005	
78.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Dr. Richard Lerner, filed May 11, 2005	
79.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Randolph Wall, Ph.D., filed May 11, 2005	
80.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Mark Gray, filed May 11, 2005	
81.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Allen Garrett, filed May 11, 2005	
82.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Steven Jones, filed May 11, 2005	
83.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Zan Yang, filed May 11, 2005	
84.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Thomas G. Wiseman, filed May 11, 2005	
85.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Damon Cook, filed May 11, 2005	
86.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Frank Hall, filed May 11, 2005	
87.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Janet Sharp, filed May 11, 2005	
88.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Michael Nordstrom, filed May 11, 2005	

Examiner Signature		Date Considered	
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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/617,489
				Filing Date	July 10, 2003
				First Named Inventor	Thomas L. CANTOR
				Art Unit	1641
				Examiner Name	C. Cheu
Sheet	4	of	6	Attorney Docket Number	532212000623

89.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Thomas Cantor, filed May 11, 2005	
90.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Dr. J. Stuart Woodhead, filed May 11, 2005	
91.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Ping Gao, filed May 11, 2005	
92.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Scantibodies Laboratory, Inc., filed May 11, 2005	
93.	Objections to Nichols' Subpoena in a Civil Case and Request for Production of Documents to Scantibodies Clinical Laboratory, Inc., filed May 11, 2005	
94.	Objections to Nichols' Supplemental Subpoena in a Civil Case and Request for Production of Documents to Ping Gao, filed May 11, 2005	
95.	Objections to Nichols' Supplemental Subpoena in a Civil Case and Request for Production of Documents to Scantibodies Laboratory Inc., filed May 11, 2005	
96.	Objections to Nichols' Supplemental Subpoena in a Civil Case and Request for Production of Documents to Scantibodies Clinical Laboratory Inc., filed May 11, 2005	
97.	Stipulation and [Proposed] Order RE Early Access to Courtroom 2 and Set Up of Audio Visual Equipment, filed May 11, 2005	
98.	Scantibodies' Proposed Voir Dire Questions, filed May 12, 2005	
99.	Nichols Proposed Voir Dire Questions, filed May 12, 2005	
100.	Transcript of Status Conference, May 12, 2005	
101.	Scantibodies' Supplemental Briefing in Support of Scantibodies' Motion in Limine No. 5 RE Timing and Parties to Hypothetical Negotiation, filed May 13, 2005	
102.	Plaintiff's Memorandum Concerning Freedom of Contract and Retroactivity (In Connection with Defendant's Motion in Limine #5), filed May 13, 2005	
103.	Nichols' Amended Exhibit List To Memorandum of Fact and Law, filed May 13, 2005	
104.	Scantibodies' Trial Brief on Inequitable Conduct, filed May 13, 2005	
105.	Response to Trial Subpoena Request For Production For Claude Arnaud, M.D., filed May 16, 2005	
106.	Response to Trial Subpoena Request For Production For Larry W. Evans, filed May 16, 2005	
107.	Response to Trial Subpoena Request For Production For Gerald H. Bjorge, filed May 16, 2005	
108.	Response to Trial Subpoena Request For Production For Ellen S. Vitetta, filed May 16, 2005	
109.	Response to Trial Subpoena Request For Production For Joseph O. Falkinham, filed May 16, 2005	
110.	Scantibodies Clinical Laboratory, Inc., and Scantibodies Laboratory, Inc.'s Third Supplemental Exhibit List, filed May 16, 2005	
111.	Notice of Deposition of Allan Garret, filed May 16, 2005	
112.	Notice of Deposition of Stephen Jones, filed May 16, 2005	
113.	Notice of Document Discrepancies, Supplemental Exhibit List, filed by Scantibodies, May 17, 2005	
114.	Notice of Document Discrepancies, Supplemental Briefing, filed by Scantibodies, May 17, 2005	
115.	Scantibodies' Objections to Nichols' Amended Exhibit List, filed May 17, 2005	
116.	Bench Trial Transcript – Volume I, May 16, 2005	
117.	Bench Trial Transcript – Volume II, May 17, 2005	
118.	Bench Trial Transcript – Volume III, May 18, 2005	
119.	Bench Trial Transcript – Volume IV, May 19, 2005	

Examiner Signature		Date Considered	
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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/617,489
				Filing Date	July 10, 2003
				First Named Inventor	Thomas L. CANTOR
				Art Unit	1641
				Examiner Name	C. Cheu
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120.	Bench Trial Transcript – Volume V, May 23, 2005	
121.	Bench Trial Transcript – Volume VI, May 24, 2005	
122.	Bench Trial Transcript – Volume VII, May 25, 2005	
123.	Bench Trial Transcript – Volume VIII, May 27, 2005	
124.	Order on Motion In Limine Nichols No. 3, filed May 19, 2005	
125.	Nichols' Objections to Scantibodies' Amended Exhibit Lists, filed May 20, 2005	
126.	[Proposed] Jury Instructions of Plaintiff Nichols, filed May 25, 2005	
127.	Nichols Institute Diagnostics, Inc.'s [Proposed] Verdict Form Regarding Infringement and Validity, filed May 25, 2005	
128.	Nichols Institute Diagnostics, Inc.'s [Proposed] Verdict Form Regarding Damages and Willfulness, filed May 25, 2005	
129.	Scantibodies' Notice of Motion and Motion for Judgment on Inequitable Conduct and Invalidity, filed May 25, 2005	
130.	Scantibodies' Memorandum of Points and Authorities in Support of Motion for Judgment on Inequitable Conduct and Invalidity, filed May 25, 2005	
131.	Declaration of Katherine L. Parker in Support of Scantibodies' Motion for Judgment on Inequitable Conduct and Invalidity, filed May 25, 2005	
132.	Scantibodies' Proposed Jury Instructions, filed May 25, 2005	
133.	Scantibodies' Proposed Jury Instructions on Damages and Willfulness, filed May 25, 2005	
134.	Scantibodies' Proposed Special Verdict Form, filed May 25, 2005	
135.	Scantibodies' Proposed Special Verdict Form on Damages and Willfulness, filed May 25, 2005	
136.	Notice of Document Discrepancies, Supplemental Exhibit List filed by Scantibodies, May 26, 2005	
137.	Scantibodies' Brief Regarding Materiality of Rejection by Foreign Patent Office, filed May 26, 2005	
138.	Scantibodies' Bench Memorandum Requesting Corrective Jury Instruction, filed May 26, 2005	
139.	Nichols' Second Amended Exhibit List to Memorandum of Fact and Law, filed May 27, 2005	
140.	Jury Trial Transcript – Day 1, May 25, 2005	
141.	Jury Trial Transcript – Day 2, May 26, 2005	
142.	Jury Trial Transcript – Day 3, May 31, 2005	
143.	Jury Trial Transcript – Day 4, June 1, 2005	
144.	Jury Trial Transcript – Day 5, June 2, 2005	
145.	Jury Trial Transcript – Day 6, June 6, 2005	
146.	Jury Trial Transcript – Day 7, June 7, 2005	
147.	Jury Trial Transcript – Day 8, June 8, 2005	
148.	Jury Trial Transcript – Day 9, June 9, 2005	
149.	Jury Trial Transcript – Day 10, June 13, 2005	
150.	Jury Trial Transcript – Day 11, June 14, 2005	
151.	Jury Trial Transcript – Day 12, June 15, 2005	
152.	Jury Trial Transcript – Day 13, June 16, 2005	
153.	Jury Trial Transcript – Day 14, June 20, 2005	
154.	Jury Trial Transcript – Day 15, June 21, 2005	
155.	Jury Trial Transcript – Day 16, June 22, 2005	
156.	Jury Trial Transcript – Day 17, June 23, 2005	
157.	Jury Trial Transcript – Day 18, June 27, 2005	
158.	Scantibodies' Proposed Supplemental Jury Instruction Regarding "Idea" of a Patent, filed June 2, 2005	

Examiner Signature		Date Considered	
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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/617,489
				Filing Date	July 10, 2003
				First Named Inventor	Thomas L. CANTOR
				Art Unit	1641
				Examiner Name	C. Cheu
Sheet	6	of	6	Attorney Docket Number	532212000623

159.	Notice of Document Discrepancies, Second Amended Exhibit List, filed by Nichols Institute, June 3, 2005	
160.	Nichols' Third Amended Exhibit List to Memorandum of Fact and Law, filed June 5, 2005	
161.	Nichols Institute Diagnostics, Inc.'s Notice of and Ex Parte Application for Order to File Third Amended Exhibit List to Memorandum of Fact and Law, filed June 6, 2005	
162.	Declaration of April M. Alex in Support of Nichols' Ex Parte Application for Order to File Third Amended Exhibit List to Memorandum of Fact and Law, filed June 6, 2005	
163.	[Proposed] Order Granting Nichols Institute Diagnostics, Inc.'s Ex Parte Application to File Its Third Amended Exhibit List to Memorandum of Fact and Law, filed June 6, 2005	
164.	Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.'s Fourth Supplemental Exhibit List, filed June 6, 2005	
165.	Scantibodies' Second Proposed Supplemental Jury Instruction (Regarding Inventorship), filed June 8, 2005	
166.	Scantibodies' Amended Proposed Special Verdict Form, filed June 8, 2005	
167.	Nichols Institute Diagnostics, Inc.'s Notice of and Ex Parte Application for Order to File Its [Proposed] Second Supplemental Jury Instructions of Plaintiff Nichols, filed June 9, 2005	
168.	Declaration of Joshua G. Gigger in Support of Nichols' Ex Parte Application for Order to File [Proposed] Second Supplemental Jury Instructions of Plaintiff Nichols, filed June 9, 2005	
169.	[Proposed] Second Supplemental Jury Instructions of Plaintiff Nichols, filed June 9, 2005	
170.	[Proposed] Order Granting Nichols Institute Diagnostics, Inc.'s Ex Parte Application to File [Proposed] Second Supplemental Jury Instructions of Plaintiff Nichols, filed June 9, 2005	
171.	Deposition of Knut Adermann, Exhibit No. 11	
172.	Deposition of James T. Carmichael, Exhibit No. 15	
173.	Deposition of Roger T. Frost, Exhibit No. 18	
174.	Deposition of Allen Garrett, Exhibit 20	
175.	Deposition of Allen Garrett Vol. 2, Exhibit No. 21	
176.	Deposition of Michael Harder, Exhibit No. 23	
177.	Deposition of Dieter Hock, Exhibit No. 24	
178.	Deposition of Hartmut H. Malluche, No. 27	
179.	Deposition of Vivian Shen, Exhibit No. 34	
180.	Deposition of Ellen S. Vitetta, Exhibit No. 35	
181.	Judgment Following Court and Jury Trial, Filed June 29, 2005	

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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